

REMARKS

BEST AVAILABLE COPY

Claim 1 was amended as indicated.

Claim 8 was canceled without prejudice or disclaimer.

Claims 1-4, 6 and 7 are pending, with claim 7 being withdrawn. The revisions to claim 1 are supported by Figure 6.

Rejection under 35 U.S.C. §102

Claims 1, 6 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,436,792 to *Tomino*. Applicants respectfully traverse this rejection.

Tomino discloses a frame body 120 provided with terminals 126a and 128b having unevenness, see for example, Figures 9, 13, or 14. Additionally, *Tomino* discloses a battery module 10a in which the terminal contact points (e.g., 7a, 7b, 8a, 8b) have unevenness that is not parallel to and coextensive with the unevenness in the frame body. *Tomino* discloses only that the frame terminals and battery contact parts have unevenness.

In contrast, the invention of claim 1 provides a mount frame having unevenness on each opening, and which frame unevenness engages the unevenness on the surface of each battery module. Additionally, claim 1 provides that the engaging surface unevenness of each battery module has a complementary shape and orientation to the engaging surface unevenness of the opening, and wherein the grooves formed by the unevenness of the engaging surface of each opening and the unevenness on the surface of each battery module is parallel with the direction in which the battery modules are inserted and removed. Thus, claims 1 and 6 are not anticipated by or obvious over *Tomino*.

Claims 1-4 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,326,103 to *Ido*. Applicants respectfully traverse this rejection.

The mount frame of *Ido* has unevenness (steel beams 32). Additionally, the battery module of *Ido* is provided with ribs 12. However, as shown in *Ido's* Figs 1 and 2, the ribs 12 are orthogonal to the steel beams 32, and the ribs 12 do not engage the steel beams 32. Thus, claim 1 and claims 2-4 dependent thereon are not anticipated.

Thus, it is respectfully submitted that the instant claims are not anticipated for at least the above reasons. Accordingly, withdrawal of the above rejections under 35 U.S.C. §102 is respectfully requested.

Rejection under 35 U.S.C. §103

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over JP '751 in view of *Ido*. Applicants respectfully traverse this rejection.

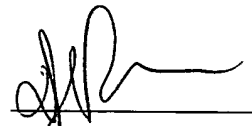
Ido does not suggest features found in present claim 1 for the reasons discussed above, and does not provide the teachings for which it is cited in the rejection. Thus, claim 1 and claims depending thereon are not obvious over JP '751 in view of *Ido*. According, it is respectfully requested that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

Conclusion

It is believed that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

Date: August 18, 2003



Douglas P. Mueller
Reg. No. 30,300
DPM/JLH:gr